

Exhibit 10

**(Plaintiffs' Second Set of Requests For
Admission)**

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**Road-Con, Inc.; Neshaminy
Constructors, Inc.; Loftus
Construction, Inc.; PKF-Mark III;
and Scott A. Lavaca,**

Plaintiffs,

v.

**City of Philadelphia; and James
Kenney, in his official capacity as
mayor of the City of Philadelphia,**

Defendants.

Case No. 2:19-cv-01667-JS

**PLAINTIFFS' SECOND REQUESTS FOR ADMISSIONS DIRECTED TO THE
CITY OF PHILADELPHIA AND JAMES KENNEY**

Plaintiffs, Road-Con, Inc., Neshaminy Constructors, Inc., Loftus Construction, Inc., PKF-Mark III, and Scott A. Lavaca, pursuant to Fed. R. Civ. P. 36, serve these requests for admission on Defendants, the City of Philadelphia and Mayor James Kenney, as follows:

DEFINITIONS

1. "City" shall mean Defendant the City of Philadelphia, and its servants, agents, employees, representatives, divisions, managers, accountants, and attorneys, and anyone else acting on its or their behalf.

2. "Mayor" shall mean Defendant Mayor James Kenney, and his servants, agents, employees, representatives, divisions, managers, accountants, and attorneys, and anyone else acting on his or their behalf.

3. “Project labor agreement” shall mean any agreement that resembles or is based on the “Philadelphia Public Projects Labor Agreement” attached to Executive Order 15-11.

REQUESTS FOR ADMISSION

1. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 95% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

2. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 90% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

3. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 85% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

4. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 80% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

5. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a

project labor agreement on at least 70% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

6. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 60% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

7. From January 1, 2016, until the time the original complaint in this lawsuit was filed on April 18, 2019, the City has imposed (or attempted to impose) a project labor agreement on at least 50% of the public-works construction projects procured by the City with an estimated cost in excess of \$3,000,000.

CERTIFICATE OF SERVICE

I certify that on July 23, 2020, I served these Requests for Admission by e-mail upon:

AMY M. KIRBY

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Counsel for Plaintiffs